

in the Iowa State Register and Des Moines Leader newspapers published in Des Moines Iowa.

Approved April 12, 1888.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 13, 1888.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 72.

RELEASE OF PENALTIES—SALE OF INTOXICATING LIQUORS.

AN ACT to Release Certain Penalties for Failure to Make and File Reports of Sales of Intoxicating Liquors by Holders of Permits, Within the Time Required by Law, and to Dismiss Suits. H. F. 606.

WHEREAS; The Twentieth General Assembly of the State of Iowa, passed an act amending title eleven (11) chapter six (6) of the Code of Iowa and fixing the time within which parties holding permits for the sale of intoxicating liquors shall make and file their monthly reports with the county Auditor within five days from the last Saturday of each month as provided in section 1537 and 1538, of the Code of Iowa, and chapter 143 of the laws of the 20th General Assembly of the State of Iowa; and,

WHEREAS; Said law fixed and attached a penalty of one hundred dollars for each failure to make and file said monthly report within five days from the last Saturday in each month, one half of said penalty to go to the informer, and one half to the school fund, and

WHEREAS; A large number of druggists residing in the State and holding permits under the law, have failed to make and file their monthly reports within the five days as required, but in truth and in fact have made and filed said monthly reports with the County Auditor as required by law, but not within the five days as aforesaid, and,

WHEREAS; In many cases large penalties have been incurred by reason of failure to make and file said monthly reports with the County Auditor within the five days as aforesaid without any intention of violating the prohibitory liquor law on the part of the holders of said permit, therefore

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That in all cases in which any druggist holding a permit for the sale of intoxicating liquors, has heretofore failed to make and file the monthly reports and statements with the county auditor within the five days as required by sections 1538 and 1539 of the code of Iowa, and as amended by chapter 143 of the Acts of the Twentieth General Assembly of the State of

Time of filing monthly reports.

Penalty for failure to file report.

Failure to report in time specified.

Iowa, and within the time therein limited, but has in truth and in fact, prior to the commencement of prosecution, subsequently made and filed such reports with the county auditor as required by law, such filing of said monthly reports shall be taken and deemed to be a fulfillment of the requirements and provisions of said law on the part of said druggist holding said permits as to the time of filing said reports and shall have the same force and effect as though said monthly reports had been filed within the time limited and fixed in said chapter 143, of the Acts of the Twentieth General Assembly of the State of Iowa, and title eleven (11) chapter six (6) of the code of Iowa, and no fine penalty or forfeiture, shall be held or deemed to have been incurred by any druggist holding such permit as aforesaid, by reason of a failure to make and file such monthly reports with the county auditor within the time limited by law. And all penalties fines and forfeitures heretofore incurred by and not adjudged against, any druggist holding such permit on failure to make and file said monthly reports within the five days, the same is hereby released, remitted and discharged.

Cases dismissed by court.

SEC. 2. That in all such cases the same shall be dismissed by the court upon payment by the defendant of all the costs made in the case and a reasonable attorneys fee to plaintiff's attorney to be fixed by the court.

Publication.

SEC. 3. This act being deemed of immediate importance shall become a law, and be in full force after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

I hereby certify that the foregoing was published in the *Iowa State Register* April 19, and *Des Moines Leader*, April 17, 1888.

FRANK D. JACKSON, *Secretary of State*.

CHAPTER 78.

AMENDING ACTS RELATING TO SALE OF INTOXICATING LIQUORS AND ABATEMENT OF NUISANCES.

S. F. 317.

AN ACT Supplemental to Chapter 143 of the Acts of the 20th General Assembly, and Chapter 66 of the Acts of the 21st General Assembly, Relating to the Sale of Intoxicating Liquors and Abatement of Nuisances.

Be it enacted by the General Assembly of the State of Iowa:

Fees in abatement of nuisance cases.

SECTION 1. In the abatement of a nuisance as provided in section 5, of chapter 66, of the Acts the 21st General Assembly, the officer shall be entitled to the same fees for removing and selling the movable property that he would be for levying on and selling like property on execution And for closing and keep-